



# City of Palm Coast Minutes

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoast.gov](http://www.palmcoast.gov)

## City Council Workshop Meeting

**Mayor Michael Norris**  
**Vice Mayor Theresa Pontieri**  
**Council Member Charles Gambaro**  
**Council Member Ty Miller**  
**Council Member David Sullivan**

---

<b>Tuesday, April 14, 2026</b>	<b>9:00 AM</b>	<b>City Hall - Jon Netts Community Wing</b>
--------------------------------	----------------	---

---

### City Staff

**Michael McGlothlin, City Manager**

**Marcus Duffy, City Attorney**

**Kaley Cook, City Clerk**

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Other matters of concern may be discussed as determined by City Council.
- If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- City Council Meetings are streamed live on YouTube at <https://www.youtube.com/@PalmCoastFL>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while Council is in session. Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE: This meeting is being live streamed on the City of Palm Coast YouTube channel and audio recorded for public record and transparency.

### **A. CALL TO ORDER**

*Mayor Norris called the meeting to order at 9:00 a.m.*

### **B. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE**

### **C. ROLL CALL**

*Deputy City Clerk Alison Palmer called the roll. All members were present.*

### **D. PUBLIC PARTICIPATION**

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) This agenda item has a thirty (30) minute limit.
- (2) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (3) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.
- (4) Public speakers may address their comments to the Council as a whole, the Mayor, or to an individual Council Member
- (5) When addressing the City Council on specific, enumerated Agenda items, speakers shall:

- (a) make their comments concise and to the point;
- (b) not speak more than once on the same subject;
- (c) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
- (d) obey the orders of the Mayor or the City Council; and
- (e) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (6) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting

*Mayor Norris provided the rules and procedures of public participation.*

*Public participation opened at 9:02 a.m.*

*Jeani Duarte discussed several issues including development, infrastructure, water quality, public participation, and the City Charter, and provided documents that are attached to these minutes.*

*Mark Webb asked to have public comment at the end of the meeting, discussed local control, and asked for Council's opinion.*

*Joe Runac, Courtney Ct., discussed motorcycle racing and loitering on Palm Coast Parkway and asked about law enforcement and consequences.*

*William Belleck, Live Oak Ln., agreed with the prior speaker, shared that he can hear the noise from the racing, and that it is a serious problem that needs to be addressed.*

*Public participation closed at 9:13 a.m.*

*Mayor Norris asked Mr. McGlothlin to follow up with the Sheriff's office.*

*Mr. McGlothlin stated that Commander Woodward is addressing the issue.*

*Council Member Miller provided a response to Mr. Webb on public comment.*

*All members of Council responded to Mr. Webb's comments regarding local control and home rule.*

## **E. PRESENTATIONS**

### **1. PRESENTATION - ANNUAL INVESTMENT REPORT**

*Mayor Norris read the title into the record.*

*Helena Alves, Director of Financial Services, introduced the item.*

*Datnilza "Dani" Metz and Leslie Weaver from PFM Asset Management, LLC presented the item to Council.*

*Topics presented included: philosophy and approach, investment policy review process and scope, economic update, the impact of current political issues, the fed's dual mandate and "dot plot," US Treasury yield curve, fixed income total returns, and portfolio review.*

*Ms. Alves, Ms. Metz, and Ms. Weaber provided a response to Council questions.*

*Public comment:*

*Tony Amaral asked about the bond sale and the process.*

*Ms. Alves and Ms. Metz provided a response to Mr. Amaral's questions.*

## **2. PRESENTATION - PALM HARBOR GOLF CLUB QUARTER 2 UPDATE**

*Mayor Norris read the title into the record.*

*James Hirst, Director of Parks & Recreation, introduced the item.*

*Dennis Redican, Recreation Manager, presented the item to Council.*

*Topics presented included: implemented changes and outcomes, changes to operations, updates and new opportunities, revenue, current and future expenditure projections, maintenance needs, and upcoming opportunities.*

*Mr. Hirst and Mr. Redican provided a response to Council questions.*

*City Attorney Duffy recommended presenting Item 3, and then opening Item 2 and 3 for public comment.*

*Council provided consensus.*

## **3. PRESENTATION - RFI FOR PALM HARBOR GOLF CLUB**

*Mayor Norris read the title into the record.*

*James Hirst, Director of Parks & Recreation, and Dennis Redican, Recreation Manager, presented the item to Council.*

*Topics presented included: RFI-PR-26-28 and the process, the submissions received, and next steps.*

*Mr. Hirst and Mr. Redican provided a response to Council questions.*

*Council held discussion of the item. Mayor Norris and Council Members Miller, Sullivan, and Gambaro provided consensus to put out an RFP for managing the golf course. Vice Mayor Pontieri did not provide consensus.*

*Public comment:*

*Jim Palmer discussed improvements of the golf course, thinks Dennis Redican has done a tremendous job, and advised giving Mr. Redican at least a year before even considering an RFP.*

*James Janoff, W section, thinks Council is being shortsighted since the revenues have increased by 400K in six months, thinks RFPs create a negative aura, and that Council should allow Mr. Redican to continue to grow the revenue and stop this nonsense. Mr. Janoff further commented that Council has gotten everything they've asked for and now want to pull the plug, and that this should be stopped right now.*

*Eric Webb advised Council to crawl, walk, run, shared that staff is doing a great job, to be very careful when wording an RFP, that this is our course, asked if the expenditures are transparent, discussed The Conservatory, and asked to give them time.*

*Martha Paburg discussed the social benefits of the golf course, asked if the other recreational activities are making money, and asked Council to let them have their golf.*

*Partick Miller, F section, advised Council to look at Vice Mayor Pontieri, allow the course to move forward, that we do not have a good record with contracts and RFPs, that Mr. Redican has turned this course around because he listens and has an attitude of positivity and accountability, and further advised Council to let the RFP go, and be part of a new positive attitude.*

*Mark Gregoire stated that he agreed with many prior speakers, discussed the history with Kemper sports, that Kemper made a profit and the City lost money, asked why reinvent the wheel, stated that Mr. Redican has shown that he will generate a profit, suggested an enterprise fund for the golf course, and that Mr. Redican should be commended.*

*David Ferguson asked about the rates and revenue, stated that we are your customers, that Council has too many other problems to work on, that this is not a headache anymore, and to focus on the big picture.*

*Dennis McDonald discussed the golf course as municipal fabric and the start of Palm Coast, that people came here for the golf course, that this golf course can turn a profit with the proper management, that Council is running him down and his employees off, and asked why don't you figure out how you can get more Dennis' for other amenities.*

*Joe Runac discussed that he does not know why there is an insistence by Council to bring in outsiders, that maybe everyone has a different agenda, that the course is wonderful, that staff works hard for improvement of the golf course, and that Roger is a treasure.*

*Howard Rifken commended Mr. Redican and his staff for turning around the golf course and discussed affordability for the residents.*

*William Belleck asked if we have ever applied to be on the Florida Historic Golf Trail run by the Florida Department of State.*

*Mr. Broder commented that Mr. Redican is doing a super job, asked why mess with success, and stated that he should get a \$10,000 bonus.*

*Greg Evans discussed his RFI submission. Mayor Norris allowed Mr. Evans additional time to speak.*

*Charles McLaughlin discussed golfing in Palm Coast, that the course is perfect for muni players, opposes the RFP, do not try to turn this into a big-time golf club, that this is for the local residents and senior citizens, and to keep it a muni.*

*Council continued discussion of the subject and provided consensus to let staff continue managing the golf course and not develop an RFP. Mayor Norris, Vice Mayor Pontieri and Council Member Sullivan gave consensus, Council Member Gambaro and Miller did not give consensus.*

*Council also provided consensus to have the City Attorney look into an enterprise fund, and for staff to provide information on golf cart leasing.*

#### **4. PRESENTATION - PROPOSED CHARTER AMENDMENTS**

*Mayor Norris read the title into the record.*

*City Attorney Marcus Duffy introduced the item.*

*Mr. Duffy, Christopher Roe, Bond Council from Bryant, Miller, Olive, and Kaiti Lenhart, Supervisor of Elections, presented the item to Council.*

*Topics presented included: a review of the three proposed charter amendment changes.*

*Mr. Duffy, Mr. Roe, and Ms. Lenhart provided a response to Council questions.*

*Public comment:*

*Tony Amaral asked for clarification on censures, appointment schedules, and the debt time frame.*

*Council responded to public comment and continued discussion of the topic.*

*Council provided consensus for Mr. Duffy to amend the draft ordinances and return to a workshop in May.*

*Council recessed at 12:15 p.m.*

*Council reconvened at 12:45 p.m.*

#### **5. PRESENTATION - SR 100 CORRIDOR COMMUNITY REDEVELOPMENT AREA (CRA) OVERVIEW**

*Mayor Norris read the title into the record.*

*John Zabler, Director of Community Development, and Craig McKinney, Economic Development Manager, presented the item to Council.*

*Topics presented included: definition and purpose, boundaries of the CRA, process to create and duration, funding source, administration, reporting requirements, typical CRA funding uses, periodic review of financial performance, plan amendments, and recommended next steps.*

*Mr. Zabler, Mr. McKinney, and Carl Cote, Director of Stormwater and Engineering, provided a response to Council questions.*

*Council continued discussion of the subject and provided consensus for staff to hire a consultant to develop a plan with a narrowed scope.*

*Public comment:*

*Darlene Shelley discussed the CRA, believes it should be repealed, seems like it incentivized apartments, and that the property was given to the City for amenities for the residents.*

*Tony Amaral discussed the history of the CRA beginning in 2004 and suggested Council look at extending the CRA.*

*Dennis McDonald discussed Whispering Pines and that the CRA has been a free ride on the taxpayers of Palm Coast.*

*Council responded to public comment and continued discussion of the topic.*

**6. PRESENTATION - DEVELOPMENT OPTIONS FOR DUPLEX ZONED LOTS**

*Mayor Norris read the title into the record.*

*Estelle Lens, Senior Planner, Phong Nguyen, Planning Manager, and Jacqueline Gonzales, Site Development Coordinator I, presented the item to Council.*

*Topics presented included: purpose of the duplex zoning district, development options, duplex lot configurations, proposed new options, and recommendations.*

*Ms. Lens, Mr. Nguyen, and Ms. Gonzales provided a response to Council questions.*

*Public comment:*

*Carla Amaral discussed affordable workforce housing, the definitions of affordable, and incentives.*

*Dennis McDonald discussed splitting duplex lots, asked for a list of the owners of the vacant duplex lots, that Palm Coast is being ruined, and that this should be tabled.*

*Darlene Shelley discussed compatibility, that this is a threat to property values, and that Palm Coast already has affordable housing.*

*Tony Amaral thanked Council for discussing the issue and asked for a pledge to work on workforce housing.*

*Council continued discussion of the topic and asked staff for a list of all duplex lot property owners to explore a pilot program. Mr. Nguyen agreed to provide the list when the housing study comes before Council at a future workshop.*

**7. PRESENTATION - 10-YEAR CAPITAL IMPROVEMENT PLAN (CIP)**

*Mayor Norris read the title into the record.*

*Brian Roche, Director of Utility, and Carl Cote, Director of Stormwater and Engineering, presented the item to Council.*

*Topics presented included: 5-Year CIP project list, Water System R&R Focus, Water System Expansion Focus, Wastewater System R&R Focus, Wastewater System Expansion Focus, Wastewater CAIC/Program Management, CIP projected funding source and use of funds, 10-Year CIP annual update, capital project funds, recreation impact fee, transportation impact fee, Old Kings Road special assessment fund, Fire impact fee, streets improvement fund, SR 100 CRA, and stormwater management fund.*

*Mr. Cote and Mr. Roche provided a response to Council questions.*

*Public comment:*

*Darlene Shelley asked about funds, interlocal agreements, and the gas tax.*

*Tony Amaral asked about the transportation impact fee funds and box culverts.*

*Council and Mr. Cote provided a response to public comment and continued discussion of the topic.*

**8. PRESENTATION - SOFTWARE STRATEGY AND RISK MITIGATION COUNCIL SAP PRIORITY 6.1**

*Mayor Norris read the title into the record.*

*Doug Akins, Director of Information Technology, presented the item to Council.*

*Topics presented included: purpose, how the plan was built, guiding principles, fragmentation, risk assessment, and EAM.*

*Mr. Akins provided a response to Council questions.*

*Council provided direction to develop an RFP and present total ROI and cost savings at a future meeting.*

*Public comment:  
There were none.*

**F. PUBLIC PARTICIPATION**

Remainder of Public Comments is limited to three (3) minutes each.

*Jeremy Davis discussed a recent rain event, the monitoring he did on his property, a Palm Coast connect ticket submitted, elevation differences, and the system as designed.*

*Dennis McDonald advised Council to check with local realtors about the market, commended Council for agreeing not to sell the golf course, and would like to see a covenant placed on the 147 acres.*

*Dylana Galery discussed Citizens Academy, gave kudos, and suggested the course be offered more than twice per year.*

*Council provided a response to public comment and gave consensus for the City Attorney to look at a covenant and historical designation for the golf course.*

**G. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*Council Member Miller discussed the CRA and YMCA, asked to have the YMCA come back with an update, and provided a sports update.*

*Vice Mayor Pontieri discussed upcoming Tunnel to Towers and Vincent's Clubhouse events, the \$126 million appropriations for the Loop Road, and the MPD and development orders that impact the westward expansion.*

*Council Member Gambaro thanked staff for assisting with the recent housing fair, and mentioned the Tunnel to Towers event.*

*Mayor Norris provided a sports update.*

**H. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*There were none.*

**I. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*There were none.*

**J. ADJOURNMENT**

*The meeting was adjourned at 4:38 p.m.*

*Respectfully submitted by: Alison Palmer  
Deputy City Clerk*

## Attachment to Minutes

1. During the period of suspension, the Mayor or the Council member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.

If the Mayor or the Council member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the Council, and the Council member or Mayor shall be entitled to receive full back allowances and such other emoluments or as he/she would have been entitled to had the suspension not occurred.

- (d) Recall. The electors of the City following the procedures for recall established by general law or ordinance may remove the Mayor or any member of the City Council from office.
- (e) Filling of vacancies.

1. If, for any reason other than recall, a vacancy occurs in the office of Mayor, the Vice Mayor shall assume the position of Mayor, and within 30 days following the occurrence of such vacancy, a Special Election shall be called as outlined in ~~section 8(5)(b) Art. \_\_\_\_\_~~. The Special Election for Mayor shall be for the remainder of the unfilled term.

If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two years of the original term, thus continuing the original staggering of district seats.

3. If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the last two years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular four-year term.
4. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election as outlined in ~~section 8(5)(b) Art. \_\_\_\_\_~~.
5. Any person appointed to fill a vacant seat on the Council is required to meet all the qualifications for office except the petition requirement.

Commented [MK1]: NOTE: 55(e)(2)(3) subject to separate amendment ballot question

- (8) *City Council meetings: organizational meeting; quorum; special meetings.* The Council shall meet regularly at least once a month, at such times and places as the Council may prescribe by ordinance. Such meetings shall be public meetings, and shall be subject to notice and other requirements of law applicable to public meetings. Pursuant thereto:
  - (a) Organizational meeting. The first meeting following a general City election at which elected or re-elected Council members are inducted into office shall be held in accordance with City ordinance.
  - (b) Quorum. A majority of the Council, including the Mayor, shall constitute a quorum. No action of the Council shall be valid unless adopted by an affirmative vote of the majority of the Council members and Mayor in attendance, unless otherwise provided by law, ordinance, or stated herein. All actions of the City Council shall be by ordinance, resolution, or motion.
  - (c) Special meetings. Special meetings may be held at the call of the Mayor, or, in the absence of the Mayor, at the call of the Vice-Mayor. Special meetings may also be called upon the request of a majority of the Council members. The City Clerk shall provide not less than 24 hours prior notice of the meeting to the public, unless a declared emergency situation exists.
- (9) *City records.* The Council shall, in a properly indexed book kept for the purpose, provide for the authentication and recording in full of all minutes of meetings, and all ordinances and resolutions adopted by the Council, and the same shall at all times be a public record. In addition, the Council shall keep *verbatim* recordings of all meetings in accordance with state law. The Council shall further maintain a current codification of all ordinances. Such codification shall be printed and be

**City Charter Amendment 2:**

**TITLE:**

**CHARTER AMENDMENT TO REVISE THE CHARTER REVIEW PROCESS TO INCLUDE AN ADVISORY CHARTER COMMITTEE.**

**SUMMARY:**

Shall the Charter be amended to eliminate outdated language regarding an initial Charter review, to include an appointed Advisory Charter Review Committee in the Charter review process, and to require a Charter review at least once every ten (10) years.

Shall the above-described Charter Amendment be adopted?

For \_\_\_\_\_

Against \_\_\_\_\_

**City Charter Amendment 3:**

**TITLE:**

**CHARTER AMENDMENT TO REVISE THE PROCESS TO FILL A VACANCY IN THE OFFICE OF ~~THE MAYOR OR OF A COUNCIL SEAT MEMBER.~~**

**SUMMARY:**

Shall the Charter be amended to provide that ~~(1) a vacancy in the office of Mayor shall be filled by the Vice Mayor eliminating the need for a special election, and (2) that a vacancy~~ in the office of a council ~~seat member~~ be appointed within 30 days unless the vacancy occurs within 6 months of the next regularly scheduled election?

Shall the above-described Charter Amendment be adopted?

For \_\_\_\_\_

Against \_\_\_\_\_

# Charter Amendments 2018

## **CITY OF PALM COAST VOTERS ONLY**

### **City of Palm Coast - City Charter Amendment 1 Charter Amendments to Update Outdated and to Clarify Ambiguous Charter Provisions**

Shall the Charter be amended (1) to remove outdated portions of the Charter; (2) to replace the current legal boundary description with a general boundary statement; and (3) to revise requirements for consistency with state laws.

- Yes  
 No

### **City of Palm Coast - City Charter Amendment 2 Charter Amendment to Revise the Charter Review Process to Include an Advisory Charter Committee**

Shall the Charter be amended to eliminate outdated language regarding an initial Charter review, to include an appointed Advisory Charter Review Committee in the Charter Review process, and to require a Charter review at least once every ten (10) years.

- Yes  
 No

### **City of Palm Coast - City Charter Amendment 3 Charter Amendment Revising How to Fill a Vacancy in the Office of a Council Member**

Shall the Charter be amended to provide that a vacancy in the office of a council member be appointed within 90 days unless the vacancy occurs within 6 months of the next regularly scheduled election?

- Yes  
 No

1. During the period of suspension, the Mayor or the Council member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.
  2. If the Mayor or the Council member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the Council, and the Council member or Mayor shall be entitled to receive full back allowances and such other emoluments or as he/she would have been entitled to had the suspension not occurred.
- (d) Recall. The electors of the City following the procedures for recall established by general law or ordinance may remove the Mayor or any member of the City Council from office.

(e) Filling of vacancies.

1. If, for any reason other than recall, a vacancy occurs in the office of Mayor, the Vice Mayor shall assume the position of Mayor, and within 30 days following the occurrence of such vacancy, a Special Election shall be called as outlined in Art. VII. The Special Election for Mayor shall be for the remainder of the unfilled term.
  2. If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two years of the original term, thus continuing the original staggering of district seats.
  3. If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the last two years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular four-year term.
  4. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election as outlined in Art. VII.
  5. Any person appointed to fill a vacant seat on the Council is required to meet all the qualifications for office except the petition requirement.
- (8) *City Council meetings: organizational meeting; quorum; special meetings.* The Council shall meet regularly at least once a month, at such times and places as the Council may prescribe by ordinance. Such meetings shall be public meetings, and shall be subject to notice and other requirements of law applicable to public meetings. Pursuant thereto:

(a)

Sept 14, 2021

Limitations to Council's Contracting Authority. Unless authorized by the electors of the City at a duly held referendum election, the Council shall not enter into lease purchase contracts or any other unfunded multiyear contracts, the repayment of which: extends in excess of 36 months; or exceeds \$15,000,000.00. (Ord. No. 2018-9, § 1(Exh. A), 4-3-18)

#### Art. VII. - Elections.

- (1) *Electors.* Any person who is a resident of the City, who has qualified as an elector of this state, and who registers in the manner prescribed by law shall be an elector of the City.
- (2) *Nonpartisan elections.* All elections for City elective office shall be conducted on a nonpartisan basis without any designation of political party affiliation.
- (3) *Qualifying for office.* Any person who wishes to become a candidate for a City elective office shall qualify with the City Clerk concurrent with Flagler County's qualifying period as established by state law. In addition, candidates shall qualify as provided in paragraph (1)(b) of Article IV.
- (4) *Schedule of regular elections and primaries:* The regular City election shall be the first Tuesday after the first Monday in November of each even-numbered year. Such City elections shall be general City elections. If there are more than two candidates who qualify for any office, a primary City election shall be held at the time of the State and Federal Primary Elections.
  - (a) An election to fill a vacant council seat, as outlined in paragraph (7)(e) of Article IV, when there is more than half of the term remaining shall be held during the next regularly scheduled election. Such election shall be for the remaining 2 years of the original term.
  - (b) An election to fill a vacant council seat, as outlined in paragraph (7)(e) of Article IV, when there is less than half of the term remaining shall be filled at the next regularly scheduled election. Such election shall be for a 4-year term.
- (5) *Schedule for special elections.*
  - (a) A special election for a vacant position of Mayor, as outlined in paragraph (7)(e) of Article IV, shall be called within 30 days, and the City Council shall, by resolution, fix the time for holding of such election. Such special election for Mayor shall be for the remainder of the vacant term.
  - (b) All other special municipal elections shall be held in the same manner as regular elections, and the City Council shall, by resolution, fix the time for holding of such elections.
- (6) *Determination of election to office.*
  - (a) If only one candidate qualifies for an office, that candidate shall be deemed to be elected and shall not be placed on either the general or the primary ballot.
  - (b)

Sept. 14, 2021

10

1. If, for any reason other than recall ~~or~~ vacancy occurs in assuming the office of Mayor, ~~the Vice Mayor shall assume the position of Mayor, and within 30 days following the occurrence of such vacancy, a Special Election shall be called as outlined in Art. VII. The Special Election for Mayor shall be for the remainder of the unfilled term.~~
  - ~~2. If, for any reason other than recall,~~ a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within ~~30~~ 90 days following the occurrence of such vacancy by majority vote of the remaining Council members. If said vacancy occurs within six (6) months of the next regularly scheduled election, the remaining Council members may delay the appointment. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two years of the original term, thus continuing the original staggering of district seats.
  - ~~2.~~ 32. If, for any reason other than recall or assuming the office of Mayor, a vacancy occurs in the office of any Council seat within the last two years of a term, the office shall be filled by appointment within ~~30~~ 90 days following the occurrence of such vacancy by majority vote of the remaining Council members. If said vacancy occurs within six (6) months of the next regularly scheduled election, the remaining Council members may delay the appointment. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular four-year term.
  - ~~3.~~ 43. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election as outlined in Art. VII.
  - ~~4.~~ 54. Any person appointed to fill a vacant seat on the Council is required to meet all the qualifications for office except the petition requirement.
- (8) *City Council meetings: organizational meeting; quorum; special meetings.* The Council shall meet regularly at least once a month, at such times and places as the Council may prescribe by ordinance. Such meetings shall be public meetings, and shall be subject to notice and other requirements of law applicable to public meetings. Pursuant thereto:
- (a) Organizational meeting. The first meeting following a general City election at which elected or re-elected Council members are inducted into office shall be held in accordance with City ordinance.
  - (b) Quorum. A majority of the Council, including the Mayor, shall constitute a quorum. No action of the Council shall be valid unless adopted by an affirmative vote of the majority of the Council members and Mayor in attendance, unless otherwise provided by law, ordinance, or stated herein. All actions of the City Council shall be by ordinance, resolution, or motion.
  - (c) Special meetings. Special meetings may be held at the call of the Mayor, or, in the absence of the Mayor, at the call of the Vice-Mayor. Special meetings may also be called upon the request of a majority of the Council members. The City Clerk shall provide not less than 24 hours of prior notice of the meeting to the public, unless a declared emergency situation exists.
- (9) *City records.* The Council shall, in a properly indexed book kept for the purpose, provide for the authentication and recording in full of all minutes of meetings, and all ordinances and resolutions adopted by the Council, and the same shall at all times be a public record. In addition, the Council shall keep *verbatim* recordings of all meetings in accordance with state law. The Council shall further maintain a current codification of all ordinances. Such codification shall be printed and be made available to the public on a continuing basis. All ordinances or resolutions of the Council shall be signed by the Mayor or in the Mayor's absence, by the Vice-Mayor, or in the absence of both, by the Acting Mayor, and attested to by the City Clerk.
- (10) *Limit of employment of Council members.* Neither Council members nor the Mayor shall be in the employment of the City while in office, nor shall any former Council member or former Mayor be employed by the City until after the expiration of one (1) year from the time of leaving office.
- (11) *Noninterference by City Council.* Except for the purpose of inquiry and information, the Council and its members, including committees thereof, are expressly prohibited from interfering with the performance of the duties of any City employee who is under the direct or indirect supervision of

April 25, 2022

1. During the period of suspension, the Mayor or the Council member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.
2. If the Mayor or the Council member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the Council, and the Council member or Mayor shall be entitled to receive full back allowances and such other emoluments or as he/she would have been entitled to had the suspension not occurred.

(d) Recall. The electors of the City following the procedures for recall established by general law or ordinance may remove the Mayor or any member of the City Council from office.

(e) Filling of vacancies.

1. If, for any reason other than recall or assuming the office of Mayor, a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within 90 days following the occurrence of such vacancy by majority vote of the remaining Council members. If said vacancy occurs within six (6) months of the next regularly scheduled election, the remaining Council members may delay the appointment. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two years of the original term, thus continuing the original staggering of district seats.

2. If, for any reason other than recall or assuming the office of Mayor, a vacancy occurs in the office of any Council seat within the last two years of a term, the office shall be filled by appointment within 90 days following the occurrence of such vacancy by majority vote of the remaining Council members. If said vacancy occurs within six (6) months of the next regularly scheduled election, the remaining Council members may delay the appointment. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular four-year term.

3. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election as outlined in Art. VII.

4. Any person appointed to fill a vacant seat on the Council is required to meet all the qualifications for office except the petition requirement.

(8) *City Council meetings: organizational meeting; quorum; special meetings.* The Council shall meet regularly at least once a month, at such times and places as the Council may prescribe by ordinance. Such meetings shall be public meetings, and shall be subject to notice and other requirements of law applicable to public meetings. Pursuant thereto:

(a) Organizational meeting. The first meeting following a general City election at which elected or re-elected Council members are inducted into office shall be held in accordance with City ordinance.

April 25, 2022

5

Art. VII. - Elections.

- (1) *Electors.* Any person who is a resident of the City, who has qualified as an elector of this state, and who registers in the manner prescribed by law shall be an elector of the City.
- (2) *Nonpartisan elections.* All elections for City elective office shall be conducted on a nonpartisan basis without any designation of political party affiliation.
- (3) *Qualifying for office.* Any person who wishes to become a candidate for a City elective office shall qualify with the City Clerk concurrent with Flagler County's qualifying period as established by state law. In addition, candidates shall qualify as provided in paragraph (1)(b) of Article IV.
- (4) *Schedule of regular elections and primaries:* The regular City election shall be the first Tuesday after the first Monday in November of each even-numbered year. Such City elections shall be general City elections. If there are more than two candidates who qualify for any office, a primary City election shall be held at the time of the State and Federal Primary Elections.
  - (a) An election to fill a vacant council seat, as outlined in paragraph (7)(e) of Article IV, when there is more than half of the term remaining shall be held during the next regularly scheduled election. Such election shall be for the remaining 2 years of the original term.
  - (b) An election to fill a vacant council seat, as outlined in paragraph (7)(e) of Article IV, when there is less than half of the term remaining shall be filled at the next regularly scheduled election. Such election shall be for a 4-year term.
- (5) *Schedule for special elections.*
  - (a) A special election for a vacant position of Mayor, as outlined in paragraph (7)(e) of Article IV, shall be called within 30 days, and the City Council shall, by resolution, fix the time for holding of such election. Such special election for Mayor shall be for the remainder of the vacant term.
  - (b) All other special municipal elections shall be held in the same manner as regular elections, and the City Council shall, by resolution, fix the time for holding of such elections.
- (6) *Determination of election to office.*
  - (a) If only one candidate qualifies for an office, that candidate shall be deemed to be elected and shall not be placed on either the general or the primary ballot.
  - (b) If a primary City election is held and any candidate for an office receives a majority of the votes cast in the primary election for the office, he or she shall be deemed to be elected to the office and the office shall not be subject to an election at the regular City election.

(c)

April 25, 2022

In any primary election in which there is a tie for second place and the candidate placing first did not receive a majority of the votes cast for such office, the name of the candidate placing first and the name of each candidate tying for second shall be placed on the City's general election ballot.

- (d) The candidate receiving the highest number of votes cast for the office in the City's general election shall be elected to such office. If the vote at the general City election results in a tie, the outcome shall be determined by lot as follows:
  1. At the first regularly scheduled council meeting after the election, the Supervisor of Elections of Flagler County shall toss a coin. In alphabetic order, the two candidates shall call the coin.
  2. The candidate whose call matches the coin toss shall be declared the winner.
- (7) *City Canvassing Board.* For purposes of certifying absentee ballots and election results, the City Clerk and a representative from the City designated by the Council shall be known as the Canvassing Board. At the close of the polls of any City election, the Canvassing Board shall ensure that the absentee ballots are delivered to the Flagler County Supervisor of Elections, and shall meet at the County election headquarters and proceed to certify the ballots and open them in the presence of a representative of the Supervisor of Elections' office. In addition, after final election results are certified by the Flagler County Supervisor of Elections, the Canvassing Board shall immediately report the results back to a meeting of the City Council held for the purpose of final certification and filing with the City Clerk as required by law.

(Ord. No. [2018-9](#), § 1(Exh. A), 4-3-18)

**Editor's note**— Ordinance 2014-5, adopted February 4, 2014, added Section 2-37(e), Election Procedures; Canvass of Returns, to the Code of Ordinances, recognizing Division of Elections Opinion 95-05 and state law that where City and County elections appear on the same ballot, only the County Canvassing Board may canvass the election; providing therefore that the Flagler County Canvassing Board shall canvass the returns of all City elections held in conjunction with County elections.

## Art. VIII. - City council district boundaries.

The City shall be divided into four (4) Council Districts by an ordinance of the City. This ordinance shall comply with the general laws governing district boundaries. Following each decennial census, the City Council shall by ordinance adjust the boundaries of the City Council districts according to general law. In addition, the City Council may, at its discretion, adjust the districts provided that any such adjustment will not take place less than one year before an election. The Council may appoint a special commission to develop district boundaries, use consulting firms specializing in the process and/or use such other public governmental resources as are available to develop a plan for districts and to adjust the district boundaries when required.

(Ord. No. [2018-9](#), § 1(Exh. A), 4-3-18; [Ord. No. 2021-31](#), § 2, 12-7-21)

## Art. IX. - General provisions.

- (1) *Charter amendment.* This Charter may be amended in accordance with the provisions of the Municipal Home Rule Powers Act, chapter 166, Florida Statutes (F.S. ch. 166), as the same may be amended from time to time, or as may otherwise be provided by general law. The form, content, and certification of any petition to amend shall be established by ordinance.
- (2) *Charter review; schedule, Charter Review Committee.*
  - (a) *Schedule.* The Charter shall be reviewed in accordance with the process outlined in Section 10(2)(b) no sooner later than 10 April years after the creation of the City of Palm Coast on December 31, 1999, 2028 and, and at thereafter a it may be reviewed minimum, every 10 years thereafter.
  - (b) *Charter Review Committee.* For any Charter review, a five-member Charter Review Committee shall be appointed. Each The district Mayor and each council member shall appoint one member from his or her district, and the Mayor shall appoint one Committee member-at-large. The Palm Coast City Council shall fund this committee. The Charter Review Committee shall be appointed at least one year before the next scheduled general election and complete its work and present any recommendations for to change the City Council no later than 60 the days April 1 before the that next general election. The Palm Coast City Council shall hold a minimum

April 25 2022